

Commonwealth of Kentucky
Division for Air Quality
RESPONSE TO COMMENTS

ON THE TITLE V DRAFT PERMIT V-07-009

Air Products and Chemicals, Inc.

Calvert City, KY 42029

September 5, 2007

Carolina Alonso , Reviewer

SOURCE ID: 21-157-00009

SOURCE A.I. #: 2915

ACTIVITY ID: APE20070001

SOURCE DESCRIPTION:

An operating permit application was received from Air Products and Chemicals, Inc. (Air Products) on February 28, 2007 and was complete on April 27, 2007. The applicant proposes to operate a facility, which is split into the following areas:

1. Vinyl Acetate Monomer (VAM) Storage
2. Acetylenics (Specialty Additives) Production Unit
3. Air Products Polymers (APP) Emulsions Production Unit
4. Plant Utilities
5. Cogeneration Plant

PUBLIC AND U.S. EPA REVIEW:

On August 1, 2003, the public notice on availability of the draft permit and supporting material for comments by persons affected by the plant was published in *The Marshall County Tribune Courier* in Benton, Kentucky. The public comment period expired 30 days from the date of publication.

Comments were received from Air Products on August 29, 2007. Attachment A to this document lists the comments received and the Division's response to each comment. Minor changes were made to the permit as a result of the comments received, however, in no case were any emissions standards, or any monitoring, recordkeeping or reporting requirements relaxed. Please see Attachment A for a detailed explanation of the changes made to the permit. The U.S. EPA has 45 days to comment on this proposed permit.

ATTACHMENT A

Response to Comments

Comments on Air Products and Chemicals, Inc. Draft Title V Air Quality Permit submitted by Mitch Tillman, Plant Manager.

Permit Application Summary Form:

1. Permit Application Summary Form, Application Type/Permit Activity, page 1 of 3.

The Construction/operating box is checked while the Operating box is not checked. There are no construction activities included in the Permit Application that have an effect on the emissions from the Air Product site. Air Products requests that the Division change the condition to reflect the actual activity

☒ [X] Operating

☐ [] Construction/operating

Division's response: Comment acknowledged, change made.

Permit Statement of Basis:

2. Permit Statement of Basis, 1. Vinyl Acetate Monomer (VAM) Storage, paragraph 1, page 1 of 6.

Vinyl Acetate monomer typically is shipped to the Air Products plant by barge. Due to adverse river conditions, however, Air Products has considered delivery of VAM in truck load quantities on an emergency basis. In addition, it is possible that Air Products may receive VAM from locations other than the "Gulf Coast" Air Products requests that the Division change the condition to reflect that the delivery of VAM is permitted by any DOT approved shipping container from any off-site supplier.

"Vinyl acetate monomer (VAM) is a raw material for both the APP Emulsions plant and the Celanese Polyvinyl alcohol (PVOH) plant. VAM is shipped from suppliers to the plant via barge or other DOT approved shipping containers. ~~VAM barges-deliveries~~ are unloaded"

Division's response: Comment acknowledged, change made.

3. Permit Statement of Basis, 2. Acetylenics (Specialty Additives) Production Unit, paragraph 2, page 2 of 6.

The crude reaction mass that exits the reactors is hydrolyzed by water. KOH is dissolved by the water and separates from the organic layer. The aqueous phase ranges in composition from about 20-30% KOH. Air Products requests that the Division change the condition to reflect that the variability for KOH concentration in the water solution.

“....The organic layer is best described as an Acetylenics semi-crude intermediate. The water layer contains about 20% to 30% KOH in water solution.”

Division's response: Comment acknowledged, change made.

4. Permit Statement of Basis, 2. Acetylenics (Specialty Additives) Production Unit, paragraph 6, page 2 of 6.

Acetylenics is misspelled in the second sentence. Air Products requests that the Division correct the spelling.

Division's response: Comment acknowledged, change made.

5. Permit Statement of Basis, 2. Cogeneration Plant, paragraph 1, page 3 of 6.

The Cogeneration plant provides steam, electricity and air to the Air Product chemical plants in Calvert City. These utilities are supplied to other chemical plants in the complex. In addition, the Cogen plant exports excess electricity to TVA. Air Products requests that the Division change the permit to reflect this understanding.

“ Air Products operates a Cogeneration “Support Facility” to provide steam, electricity, and operating air to the adjacent chemical ~~plant~~ complex. This includes both internal usage and export to other Corporate entities. The Cogen facility.....”

Division's response: Comment acknowledged, change made.

6. Permit Statement of Basis, Applicable regulations, paragraph 12, page 4 of 6.

40 CFR Part 63 Subpart FFFF (MON) is scheduled to become effective in May 2008. Air Products believes that while this regulation is not currently in effect, it was added as a reminder of additional future requirements. Air Products requests that the Division alter the wording to reflect this understanding.

“40 CFR Part 63 Subpart FFFF, National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing:

- a. If required by 40 CFR 63.2520, the permittee shall submit a pre-compliance report at least six (6) months prior to the compliance date specified in the rule. The report must contain the information specified in 40 CFR 63.2520(c), as applicable. [40 CFR 63.2520(a) and 40 CFR 63 Subpart FFFF, Table 11]
- b. If the emission unit is subject to the provisions of 40 CFR 63 Subpart FFFF on the compliance date specified in the rule, then the permittee must comply with the requirements of 40 CFR, Subpart FFFF no later than the compliance date specified in the rule. [40 CFR63.2445(b)].”

*Division's response: The proposed language is already in permit V-07-009 under **Section B.9. Compliance Certification** for emission units that will be subject to 40 CFR 63 Subpart FFFF. The Division does not consider it necessary to repeat this language in the Statement of Basis.*

7. Permit Statement of Basis, Periodic Monitoring, paragraph 1, and page 5 of 6.

“NOx and CO shall also be continuously monitored as required by letters from EPA to the source.”

Air Products agrees with NOx monitoring, but CO continuous monitoring is not done nor is it required with the current permit. Air Products found no conditions in the draft permit specifying continuous CO monitoring. Air Products requests the Division to remove CO continuous monitoring condition.

Division's response: Comment acknowledged, change made.

8. Air Quality Permit (draft) signature cover page, Source Location

The source location specified on the Permit cover page lists: “412 North Main Street, Calvert City, KY 42029.” This is the correct source address for the Air Products Chemical plants located in Calvert City. Air Products Cogeneration plant, while adjacent to the Chemical plant, has a separate source location. It is 480 North Main Street, Calvert City, KY 42029.

Air Products requests that the Division understands and amends the document by adding two separate addresses for the source locations included in this Permit to remove confusion.

Division's response: The source location in the permit is the same as the one submitted by the source in form DEP7007AI. Even though, they have different addresses, the Cogeneration plant is considered part of the source so the following language has been added to the Statement of Basis, 5. Cogeneration Plant, paragraph 1, page 3 of 6:

“The source location for the Cogen facility is different than the one for Air Products but it is still considered part of Air Products.”

9. Section B, Acetylenics Production, Emission Units C-13, C-20 and F-08, Applicable Regulations, Page 11 of 104

40 CFR Part 63 Subpart FFFF (MON) is scheduled to become effective in May 2008. Air Products believes that while this regulation is not currently in effect, it was added as a reminder of additional future requirements. Air Products requests that the Division alter the wording to reflect this understanding.

“40 CFR Part 63 Subpart FFFF, National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing”

- a. If required by 40 CFR 63.2520, the permittee shall submit a pre-compliance report at least six (6) months prior to the compliance date specified in the rule. The report must contain the information specified in 40 CFR 63.2520(c), as applicable. [40 CFR 63.2520(a) and 40 CFR 63 Subpart FFFF, Table 11]

- b. If the emission unit is subject to the provisions of 40 CFR 63 Subpart FFFF on the compliance date specified in the rule, then the permittee must comply with the requirements of 40 CFR, Subpart FFFF no later than the compliance date specified in the rule. [40 CFR63.2445(b)].”

*Division’s response: The compliance date for 40 CFR 63 Subpart FFFF is specified as part of the aforementioned paragraph. Also, the proposed language is already under **Section B.9. Compliance Certification**. The Division does not consider it necessary to repeat this language under the Applicable Regulations section.*

10. Section B, Acetylenics Flakers, Emission Units A-81 and A-82, Specific Monitoring Requirements, Paragraph 1, Page 15 of 104

Emission point A-81 is for the Glycol Flaker (PA-2401). This unit is currently not in service; however Air Product would like it to remain in the Permit for future use. As such, weekly inspections are for the Glycol Flaker is not warranted at this time. However, in the event of the equipment use, Air Products will comply with the requirement of weekly inspections. Air Products requests the Division to understand this situation and adds the clarification phrase of “when in use” to the Glycol Flaker reporting requirements.

“When in use, the permitted shall perform an EPA Method 9 test within three hours of the initial observation. If weather or light conditions do not allow a Method 9 test, then the test shall be performed as soon as weather or light conditions permit.”

Division’s response:

The permit reads:

*“The permittee shall perform qualitative visual observations of the cyclone and rotoclone stacks on a weekly basis and maintain a log of the observations. **Observations are not required if the equipment is not operated during the week. If visible emissions are observed, then:***

- a. The permittee shall correct the problem within three hours of the initial observation (as indicated by another visual observation showing no visible emissions), or*
- b. The permittee shall perform an EPA Method 9 test within three hours of the initial observation.”*

Since it is clear that the permittee is not required to do either visual observations or Method 9 if the equipment is not in operation, the Division does not consider it necessary to change the permit as requested. The weekly visible observation should be made when good observations are possible. If conditions are such that visual observations can be made and emissions are observed, then an EPA Method 9 opacity test should be possible.

11. Section B, Acetylenics Flakers, Emission Units A-81 and A-82, Specific Monitoring Requirement (b), Page 15 of 104

Specific Monitoring Requirement (b) requires a Method 9 test within 3 hours of the initial observation of visible emissions if visible emissions last for more than 3 hours beyond the initial observation. However, it might be dark (night time) or raining, and no Method 9 would be possible, thus making it impossible for Air Products to comply with the permit condition. Air Products requests that the Division change the condition to:

“The permitted shall perform an EPA Method 9 test within three hours of the initial observation. If weather or light conditions do not allow a Method 9 test, then the test shall be performed as soon as weather or light conditions permit.”

Division’s response: See response to Comment #10.

12. Section B, Emulsions Production – Ethylene Unloading, Emission Unit A-94, Specific Control Equipment Operating Conditions: Page 18 of 104

“The permitted shall operate the process computer control program such that an exception record and alarm is generated if process vents are sent to the flare when the pilot is not lit.”

The ethylene unloading flare does not interface with the computer control system of the Emulsions plant. Instead, the ethylene unloading flare has a local burner control logic system. It is hard wired logic to prevent flare use unless the pilot is lit. A local Ultraviolet (UV) detector tube is in use that detects a pilot flame. It is sensitive and smart enough to ignore daylight. If the UV detector does not see a flame, the process gas inlet valves to the main burner will not open. It is hard wired logic. A Management of Change would be necessary to bypass this interlock. Air Products requests that the Division remove the listed requirement and add the following statement: “The permitted shall maintain the burner interlock system and will retain Management of Change records in the event the burner logic is changed.”

Division’s response: Comment acknowledged, change made.

13. Section B, Emulsions Production-Fugitive Emissions, F-04, Applicable Regulations, Page 19 of 104

40 CFR Part 63 Subpart FFFF (MON) is scheduled to become effective in May 2008. Air Products believes that while this regulation is not currently in effect, it was added as a reminder of additional future requirements. Air Products requests that the Division alter the wording to reflect this understanding.

“40 CFR Part 63 Subpart FFFF, National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing”

- a. If required by 40 CFR 63.2520, the permittee shall submit a pre-compliance report at least six (6) months prior to the compliance date specified in the rule. The report must contain the information specified in 40 CFR 63.2520(c), as applicable. [40 CFR 63.2520(a) and 40 CFR 63 Subpart FFFF, Table 11]
- b. If the emission unit is subject to the provisions of 40 CFR 63 Subpart FFFF on the compliance date specified in the rule, then the permittee must comply with the requirements of 40 CFR, Subpart FFFF no later than the compliance date specified in the rule. [40 CFR 63.2445(b)].”

Division’s response: See response to Comment #9.

14. Section B, Emulsions Production-Chem-Clean Tanks, F-53 and C-50, Applicable Regulations, Page 26 of 104

40 CFR Part 63 Subpart FFFF (MON) is scheduled to become effective in May 2008. Air Products believes that while this regulation is not currently in effect, it was added as a reminder of additional future requirements. Air Products requests that the Division alter the wording to reflect this understanding.

“40 CFR Part 63 Subpart FFFF, National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing”

- a. If required by 40 CFR 63.2520, the permittee shall submit a pre-compliance report at least six (6) months prior to the compliance date specified in the rule. The report must contain the information specified in 40 CFR 63.2520(c), as applicable. [40 CFR 63.2520(a) and 40 CFR 63 Subpart FFFF, Table 11]
- b. If the emission unit is subject to the provisions of 40 CFR 63 Subpart FFFF on the compliance date specified in the rule, then the permittee must comply with the requirements of 40 CFR, Subpart FFFF no later than the compliance date specified in the rule. [40 CFR 63.2445(b)].”

Division’s response: See response to Comment #9.

15. Section B, Emulsions Production-Airflex #1 Reactor System, F-50, Capacity, Page 28 of 104

The Capacity of the Airflex reactor is listed correctly as 5,000 gallons. Below, 2,500 batches per year is listed. This is not a capacity. 2,500 batches per year represents a maximum permitted production limitation. Air Products requests the Division to clarify this by adding “Max Batches:” to the listed rate.

This should be applied to points:

50	Airflex #1 Reactor System	Max Batches: 2,500 batches per year, page 28
51	Airflex #2 Reactor System	Max Batches: 2,500 batches per year, page 28
48	Atmospheric Reactor System	Max Batches: 1,579 batches per year, page 29
52	Airflex #3 Reactor System	Max Batches: 980 batches per year, page 32
B-94	Airflex #4 Reactor System	Max Batches: 2,000 batches per year, page 39
C-43	Airflex#5 Reactor System	Max Batches: 2,000 batches per year, page 43

Division’s response: Comment acknowledged, change made.

16. Section B, Emulsions Production-Atmospheric Reactor System, B-03, Applicable Regulations, Page 30 of 104

40 CFR Part 63 Subpart FFFF (MON) is scheduled to become effective in May 2008. Air Products believes that while this regulation is not currently in effect, it was added as a reminder of additional future requirements. Air Products requests that the Division alter the wording to reflect this understanding.

“40 CFR Part 63 Subpart FFFF, National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing”

- a. If required by 40 CFR 63.2520, the permittee shall submit a pre-compliance report at least six (6) months prior to the compliance date specified in the rule. The report must contain the information specified in 40 CFR 63.2520(c), as applicable. [40 CFR 63.2520(a) and 40 CFR 63 Subpart FFFF, Table 11]
- b. If the emission unit is subject to the provisions of 40 CFR 63 Subpart FFFF on the compliance date specified in the rule, then the permittee must comply with the requirements of 40 CFR, Subpart FFFF no later than the compliance date specified in the rule. [40 CFR63.2445(b)].”

Division’s response: See response to Comment #9.

17. Section B, Emulsions Production-Airflex#3 Reactor System, 52, Applicable Regulations, Page 33 of 104

40 CFR Part 63 Subpart FFFF (MON) is scheduled to become effective in May 2008. Air Products believes that while this regulation is not currently in effect, it was added as a reminder of additional future requirements. Air Products requests that the Division alter the wording to reflect this understanding.

“40 CFR Part 63 Subpart FFFF, National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing

- a. If required by 40 CFR 63.2520, the permittee shall submit a pre-compliance report at least six (6) months prior to the compliance date specified in the rule. The report must contain the information specified in 40 CFR 63.2520(c), as applicable. [40 CFR 63.2520(a) and 40 CFR 63 Subpart FFFF, Table 11]
- b. If the emission unit is subject to the provisions of 40 CFR 63 Subpart FFFF on the compliance date specified in the rule, then the permittee must comply with the requirements of 40 CFR, Subpart FFFF no later than the compliance date specified in the rule. [40 CFR63.2445(b)].”

Division’s response: See response to Comment #9.

18. Section B, Airflex #3, Emission Limitation (d), Page 35 of 104

There is a typographical error in the first sentence. Air Products requests that the Division correct the sentence as follows:

“The permittee shall comply with the following requirement for a RVD that is ducted to a control device that is continually operating while emissions from the release are present at the ~~of~~ device [40 CFR 61.65(d)(1)]...”

Division’s response: Comment acknowledged, change made.

19. Section B, Emulsions Production-Airflex#4 Reactor System, B-94, Applicable Regulations, Page 39 of 104

40 CFR Part 63 Subpart FFFF (MON) is scheduled to become effective in May 2008. Air Products believes that while this regulation is not currently in effect, it was added as a reminder of additional future requirements. Air Products requests that the Division alter the wording to reflect this understanding.

“40 CFR Part 63 Subpart FFFF, National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing”

- a. If required by 40 CFR 63.2520, the permittee shall submit a pre-compliance report at least six (6) months prior to the compliance date specified in the rule. The report must contain the information specified in 40 CFR 63.2520(c), as applicable. [40 CFR 63.2520(a) and 40 CFR 63 Subpart FFFF, Table 11]
- b. If the emission unit is subject to the provisions of 40 CFR 63 Subpart FFFF on the compliance date specified in the rule, then the permittee must comply with the requirements of 40 CFR, Subpart FFFF no later than the compliance date specified in the rule. [40 CFR 63.2445(b)].”

Division’s response: See response to Comment #9.

20. Section B, Airflex #4, Specific Record Keeping Requirements (a) and (c), Page 41 of 102

Specific Record Keeping Requirement (a) requires records of “products fed to the reactor”, which is intended to ensure that vinyl chloride monomer is not fed to the reactor. Vinyl chloride monomer is a raw material. Air Products requests that the Division correct the condition to read: “records of materials fed to the reactor.”

Specific Record Keeping Requirement (c) requires records of the number of annual batches. The number of batches does not seem relevant to ensuring vinyl chloride is not being fed to the reactor. Air Products requests that the Division delete this requirement.

Division’s response: Comment acknowledged. The requested changes have been made.

21. Section B, Emulsions Production-Airflex#5 Reactor System, C-43, Applicable Regulations, Page 43 of 104

40 CFR Part 63 Subpart FFFF (MON) is scheduled to become effective in May 2008. Air Products believes that while this regulation is not currently in effect, it was added as a reminder of additional future requirements. Air Products requests that the Division alter the wording to reflect this understanding.

“40 CFR Part 63 Subpart FFFF, National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing”

- a. If required by 40 CFR 63.2520, the permittee shall submit a pre-compliance report at least six (6) months prior to the compliance date specified in the rule. The report must contain the information specified in 40 CFR 63.2520(c), as applicable. [40 CFR 63.2520(a) and 40 CFR 63 Subpart FFFF, Table 11]

- b. If the emission unit is subject to the provisions of 40 CFR 63 Subpart FFFF on the compliance date specified in the rule, then the permittee must comply with the requirements of 40 CFR, Subpart FFFF no later than the compliance date specified in the rule. [40 CFR63.2445(b)].”

Division’s response: See response to Comment #9.

22. Section B, Airflex #5, Specific Record Keeping Requirements (a) and (c), Page 44 of 104

Same comment as comment #20 above

Division’s response: See response to Comment #20.

23. Section B, Utilities-Vents from Westlake to Air Products Thermal Oxidizers, Page 46 of 104

The Calvert City Complex has undergone many name changes to the existing plants over the years. This trend seems to be increasing in recent years.

Air Products requests the Division to delete any reference to the Westlake Corporation from this section, rather to use the terminology 3rd Party PVC Plant. This will eliminate any confusion in our permit if Westlake plant should change corporate ownership,

Division’s response: The Division does not concur. The permit refers only to “Westlake”. If in the future the name Westlake is no longer used, Air Products will have to submit an application for a minor permit revision in order to reflect it in the permit.

24. Section B, Utilities –Water Treatment System, F-23, Applicable Regulations, Page 50 of 104

40 CFR Part 63 Subpart FFFF (MON) is scheduled to become effective in May 2008. Air Products believes that while this regulation is not currently in effect, it was added as a reminder of additional future requirements. Air Products requests that the Division alter the wording to reflect this understanding.

“40 CFR Part 63 Subpart FFFF, National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing”

- a. If required by 40 CFR 63.2520, the permittee shall submit a pre-compliance report at least six (6) months prior to the compliance date specified in the rule. The report must contain the information specified in 40 CFR 63.2520(c), as applicable. [40 CFR 63.2520(a) and 40 CFR 63 Subpart FFFF, Table 11]
- b. If the emission unit is subject to the provisions of 40 CFR 63 Subpart FFFF on the compliance date specified in the rule, then the permittee must comply with the requirements of 40 CFR, Subpart FFFF no later than the compliance date specified in the rule. [40 CFR63.2445(b)].”

Division’s response: See response to Comment #9.

25. Section B, Co-Generation – Rental Boiler, Specific Monitoring Requirement, Page 56 of 104

The requirement to measure the natural gas heating value does not appear to relate to compliance, or to have a regulatory basis. Natural gas heating value is not limited, and neither NSPS Dc nor the recently vacated Boiler MACT requires this type of measurement. The boiler will burn pipeline quality natural gas which has only very small variations in heating value. Air Products requests that the Division delete this condition, or that the Division specify the regulatory citation for the requirement.

Division's response: The heating value is used when calculating emissions from the rental boiler. The Division will not delete the requested language.

26. Section B, Co-Generation – Heat Recovery Steam Generators, Applicable Regulations, Page 63 of 104

Air Products requests that the Division add additional language to the citation of 40 CFR 63 Subpart DDDDD, in order to clarify that the boiler is subject to only the Initial Notification requirements of the rule (similar to the Rental Boiler language on page 54 of the draft permit). Air Products requests that the Division add the following text:

“The HRSG was commenced prior to January 13, 2003 and burns only gaseous fuels. The boiler is therefore classified as an existing large gaseous fuel unit. Per 40 CFR 63.7506(b)(1), existing large gaseous fuel units are only subject to the initial notification requirements in 40 CFR 63.9(b). They are not subject to any other requirements of 40 CFR Subpart DDDDD or 40 CFR 63 Subpart A.”

*Division's response: 40 CFR 63 Subpart DDDDD has been vacated by U.S. Court of Appeals on July 30, 2007. The regulation has been deleted from the Applicable Regulations section and the following language has been added to **9. Compliance Certification Requirements**:*

“40 CFR 63 Subpart DDDDD, National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters was vacated and remanded by U.S. Court of Appeals on July 30, 2007. The facility will be required to perform a case-by-case MACT analysis, if notified to do so.”

27. Section C, Insignificant Activities, General Applicable Activities, A-10, A-11, C-32 and BA-2401, Page 71 and 72 of 104

Air Products and Chemicals, Inc. wishes to point out to the Division the recent case in which the Boiler Process Heater (BPH) MACT Standard (40 CFR Part 63 Subpart DDDDD) was vacated by the courts making this “rule” no longer an applicable requirement in the facility’s Title V permit. Based on a discussion with Division representatives at the Calvert City Plant on 21 August 2007 it is our understanding that no further action on the part of Air Products and Chemicals, Inc. relative to this issue is necessary at this time and that the language in the draft Title V permit should stand. The Division will notify Air Products and Chemicals, Inc. if and when action is required. On a related note, it is Air Products and Chemicals, Inc.’s view that given the nature of our Calvert City combustion sources (i.e., all are natural gas fired) the

original requirement promulgated in the vacated BPH MACT rule should satisfy a case-by-case MACT standard for our facility. Specifically, the original rule identified notification only as the applicable requirement and this should be retained as the only applicable requirement for a case-by-case.

40 CFR63 Subpart DDDDD is referenced for each emission point. A typographical error has omitted the 5th D. Air Products requests that the Division corrects these errors and accepts the above notification request.

Division's response: 40 CFR 63 Subpart DDDDD has been vacated by U.S. Court of Appeals on July 30, 2007. References to this regulation for the requested insignificant activities have been deleted.

28. Section D, Emulsions Plant Specific Record Keeping Requirements, Condition 4(a), Page 75 of 104

“For the following emission points, VOC emissions shall not exceed 42.7 tons per year, based on a 12-month rolling average.”

Should it be based on a 12 month rolling sum? Air Products requests the Division to clarify this requirement.

*Division's response: For clarification, the language has been changed to:
“For the following emission points, VOC emissions shall not exceed 42.7 tons per year, based on a 12-month rolling total, determined each month for the previous 12 months.”*

29. Section D, Emulsions Plant Specific Record Keeping Requirements, Condition b, Page 76 of 104

Ethylene is typically delivered to the Air Products APP Emulsions plant by railcar. During unloading the Ethylene unloading flare is used. Air Products may, during raw material shortages or rail delivery issues bring in Ethylene by truck. Air Products requests the Division to modify the requirement to require monitoring whenever Ethylene is being vented to the flare.

“The permittee shall monitor and operate according to manufacturer's specifications, The Ethylene Flare (BA-7501), anytime ~~the Ethylene Tank Car Unloading and Storage is in operation~~ ethylene is venting to the flare.”

Division's response: Comment acknowledged, change made.

30. Section D, Emulsions Plant Specific Record Keeping Requirements, Condition 4(c)(1), Page 76 of 104

To avoid confusion to persons not familiar with the plant, Air Products requests that the condition specify which flare is being referred to. Air Products requests that the Division reword the condition as:

“The permittee shall retain records of each time that the Airflex #5 Stripper (FA-8502) is vented to the Airflex #4 Flare (B-94) when the flare pilot is not lit or the flare air blower motor is not

operating.”

Division’s response: Comment acknowledged, change made.

Comments by the Division:

1. Section B, Utilities Emission Limitations, Compliance Demonstration, Page 46 of 104 reads:
“See Condition b. of **4. Specific Monitoring Requirements** below.”

For clarification purposes, the language has been change to read:

*“See **4. Specific Monitoring Requirements** below”*

2. Section B, Utilities Specific Monitoring Requirements, Page 47 of 104:
Typo: Bullets are numbered (4), (5), and (6).

For clarification purposes, the bullets have been changed to be a., b., and c.

3. Table of Contents

For clarification purposes, the Table of Contents, Section B, was expanded due to the size of the permit.

CREDIBLE EVIDENCE:

This permit contains provisions which require that specific test methods, monitoring or recordkeeping be used as a demonstration of compliance with permit limits. On February 24, 1997, the U.S. EPA promulgated revisions to the following federal regulations: 40 CFR Part 51, Sec. 51.212; 40 CFR Part 52, Sec. 52.12; 40 CFR Part 52, Sec. 52.30; 40 CFR Part 60, Sec. 60.11 and 40 CFR Part 61, Sec. 61.12, that allow the use of credible evidence to establish compliance with applicable requirements. At the issuance of this permit, Kentucky has only adopted the provisions of 40 CFR Part 60, Sec. 60.11 and 40 CFR Part 61, Sec. 61.12 into its air quality regulations.